

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

09 MAR 20 PM 1:24  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON J. COLE,

Defendant.

**SELED**

8:09CR 111

**INDICTMENT**

[18 U.S.C. § 2252A(a)(2),  
18 U.S.C. § 2252(a)(4)(B),  
18 U.S.C. § 2253]

The Grand Jury charges:

**COUNT I**

On or before the 7th day of October, 2008, in the District of Nebraska, BRANDON J. COLE, the defendant herein, did knowingly receive visual depictions, and attempt to receive visual depictions, that is, digital and computer images in files that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer, the production of such visual depictions having involved the use of a minor engaging in sexually explicit conduct and were depictions of such conduct.

In violation of Title 18, United States, Code, Section 2252A(a)(2).

**COUNT II**

On and before the 7th day of October, 2008, in the District of Nebraska, BRANDON J. COLE, the defendant herein, did knowingly possess one or more computer files and other matter which contained an image of child pornography, the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such visual depiction(s)

were of such conduct, said computer files and other matter had been shipped or transported in interstate commerce by any means, including by computer.


In violation of Title 18, United States Code, Sections 2252(a)(4)(B).

**COUNT III**

Upon conviction for violating an offense involving a visual depiction described in Title 18 U.S.C. § 2252, defendant, BRANDON J. COLE shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforementioned violation, including but not limited to the following:

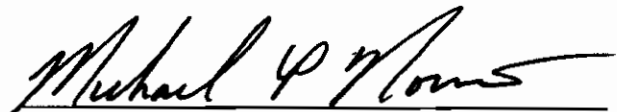
1. Gateway laptop computer and Hitachi hard drive
2. Gateway 2900073 computer
3. USB Samsung hard drive

All in violation of Title 18, United States Code, Section 2253.

  
JOE W. STECHER  
United States Attorney

  
FOREPERSON

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

  
MICHAEL P. NORRIS  
Assistant U.S. Attorney